

Medway Council
Meeting of Employment Matters Committee
Wednesday, 5 December 2018
7.03pm to 7.44pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

- Present:** Councillors: Godwin, Hicks, Mrs Josie Iles, Steve Iles and Wicks (Chairman)
- Substitutes:** Councillors:
Joy (Substitute for Williams)
Maple (Substitute for Khan)
- In Attendance:** Vicky Nutley, Assistant Head of Legal Services
Carrie McKenzie, Assistant Director - Transformation
Tim Silver, Acting Head of HR Services
Michael Turner, Democratic Services Officer

577 Apologies for absence

Apologies for absence were received from Councillors Khan and Williams.

578 Record of meeting

The record of the meeting of the Committee held on 5 September 2018 was agreed and signed by the Chairman as correct.

579 Urgent matters by reason of special circumstances

There were none.

580 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

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Other interests

Councillor Maple disclosed that he was a member of the GMB trade union and also, in relation to agenda item 6 (Organisational Change) and the reference to the transfer of the All Saints Nursery to the Medway Anglican Schools Trust (MAST) academy, that he was the Chairman of Governors at a Mast Academy school.

The Assistant Director - Transformation declared an interest on behalf of those officers present at the meeting who would be affected by the proposals set out in agenda item 5 (Pay Negotiations 2019/2020).

581 Pay Negotiations 2019/20

Discussion:

Members considered a report regarding the pay negotiations for the financial year 2019/2020.

A Member expressed the view that the pay negotiation process was not genuine and referred to the Council budget meeting in February 2018 where a further 0.5% increase in the pay award had been agreed which had not been part of the pay negotiations. Whether any discussions had taken place with the Trade Unions on how this extra funding should be allocated was queried and, if not, whether discussion would take place if the same was to happen this year.

Some Members referred to the points made earlier at the Joint Consultative Committee meeting by the Trade Union representatives about the financial difficulties some employees were experiencing, including having to resort to assistance from food banks. A Member expressed a wish to see if the number of employees using food banks could be established.

Reference was made to concerns expressed earlier at the Joint Consultative Committee from the Trade Union representatives that the Medpay Scheme could be discriminatory as employees with caring responsibilities in the home found it extremely difficult to qualify for some of the performance elements of the Scheme due to these other responsibilities. A Member commented that the Scheme was bureaucratic, expensive and time consuming and there had been no assessment of its value to the organisation in the five years it had been in place. It was proposed that a review of the Medpay Scheme be commissioned focusing in particular on the issues of fairness and equality, accepting such a review could not be completed by February 2019.

.A Member asked if the Medpay Scheme was monitored to ensure all employees received a Performance Development Review (PDR) assessment and also whether managers were carrying out these reviews in accordance with the Scheme.

The Assistant Director – Transformation advised Members that the Medpay scheme was very closely monitored to ensure all staff received a PDR. The

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PDR outcomes were moderated by senior management to ensure consistency and fairness and all Managers were trained in the Scheme and supported. A Member queried whether the scheme was equality proofed and asked for details of that to be included in future reports.

A Member commented that pay in Medway had fallen significantly behind that of local authority workers who were subject to the National pay bargaining. It was suggested that officers compare pay in Medway with what it would have been had Medway remained part of the national pay bargaining arrangements. It was accepted a full comparison was not feasible and this should be done through a sampling of a few pay points

A Member made the point that if the Council agreed to the Trade Unions' pay claim then this would take the authority above the Council Tax cap limit, which would trigger a referendum and queried whether the costs of that had been factored in. In response, a Member commented that the costs could be met from efficiency savings and would not automatically have to be met from an increase in Council Tax.

In response to a suggestion that the pay award be weighted towards employees at the bottom of the pay scale, a Member commented that while this was laudable, to do so would reduce even further an already small cost of living increase into something unacceptable.

It was also suggested that additional leave could be given to employees and while this would not help those who felt a pay rise was needed it would go some way to address the increase in workloads some staff had experienced.

Decision:

The Committee agreed to:

- a) note the report, including progress made to date under the Pay Negotiations Protocol, and;
- b) commission a review of the Medpay Scheme focusing in particular on the issues of fairness and equality.

582 Organisational Change

Discussion:

Members considered a report which covered new reviews and transfers for the period 1 August to 30 October 2018.

Referring to the number of significant restructurings in recent years, a Member asked for details of the numbers of staff who had received support over the last 3/4 years from Care First, the Council's employee assistance provider.

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A Member asked for details of the amount of time it had taken HR staff to deal with TUPE issues resulting from services coming back to the Council from Medway Norse. Details of this would be sent to the Member.

Decision:

The Committee agreed to:

- a) note the present position and also the support arrangements for staff, and;
- b) request a briefing note on the numbers of staff who had received support from Care First, the Council's employee assistance provider, in recent years, including the reasons for the referral.

583 Whistleblowing, Anti-Bribery and Anti-Money Laundering Policies: Report on Instances September 2017 - September 2018

Discussion:

Members considered a report which detailed the nature of concerns raised under the Council's Whistleblowing, Anti- Bribery and Anti-Money Laundering Policies between September 2017 and September 2018.

Referring to the case of an employee who had secured employment through the submission of a falsified reference, a Member asked if officers were confident references were properly checked; queried who carried out these checks and whether a false reference in the future would be identified at an early stage. The Assistant Director – Transformation commented that she was very confident the checks in place were effective. For posts which entailed working with vulnerable people, two checks on references were carried by the HR team, who were trained to identify any irregularities. It was not possible though to give a commitment to completely prevent all fraud. In response to a query about how long it had taken to identify this fraudulent reference, the Assistant Director – Transformation advised she was not in a position to discuss the specifics of the case in a public meeting.

Decision:

The Committee agreed to note the report.

584 Early Retirement and Severance Payments

Discussion:

Members considered a report which set out all decisions taken in relation to early retirements and severance payments for the period 31 March 2018 to 31 August 2018.

A Member noted the unusually high number of compulsory redundancies reported in this period.

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Decision:

The Committee agreed to note the report.

585 Exclusion of the Press and Public

Decision:

The Committee agreed to exclude the press and public during consideration of the exempt appendix to agenda item 8 (Early Retirement and/or Redundancy payments) because consideration of this matter in public would disclose information falling within the descriptions of exempt information contained under paragraphs 1 and 3 of Schedule 12A to the Local Government Act 1972, and agreed that, in all the circumstances of the case, the public interest in maintaining the exemption, outweighed the public interest in disclosing the information.

Chairman

Date:

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